

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **SAUDDY NOEMI HERNANDEZ ONEILL**
SSN xxx-xx-1670
JOAN LAUREANO COLON
SSN xxx-xx-7319

Debtor(s)

CASE NO: **19-06674-BKT**

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **11/14/2019**

First Meeting Date: **01/02/2020 at 9:00AM**

Days From Petition Date: **50**

341 Meeting Date: **01/02/2020 at 9:00AM**

910 Days Before Petition: **05/18/2017**

Confirmation Hearing Date: **02/07/2020 at 2:30PM**

Chapter 13 Plan Date: **11/14/2019** ☐ Amended

Plan Base: **\$14,220.00** Plan Docket # **4**

This is Debtor(s) **1** Bankruptcy petition.

This is the **1** scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$237.00**

Check/MO# _____

Date: _____ Amount: \$ _____

*APPEARANCES: ☐ Telephone ☐ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

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Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): _____

☐ Pro-se

☒ Creditor(s) Present ☐ None

FIRST BANK AND MONEY EXPRESS- ROMERO; BPPR- VILCHES

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$4,000.00** Paid Pre-Petition: **\$199.00** Outstanding (Through the Plan): **\$3,801.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor's/s' Commitment Period: ☐ Under Median Income 36 months ☒ Above Median Income 60 months §1325(b)(1)(B)
Projected Disposable Income: **\$ 0.00**

☐ The Trustee cannot determine debtor's/s' commitment period at this time.

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately (\$3,414.00)

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: ____ %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR ____ DAYS

§341 Meeting Rescheduled for: _____

Comments:

***TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6)** The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(4)] Plan fails Creditors Best Interest Test.

- Debtor must amend the Schedule C to specify the applicable exemption over the personal property.

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to comply with plan scheduled distribution or no sufficient information to determine it.

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

Debtor has failed to include a step up in the payment schedule upon the maturity of Debtor's car loan (October 2023).

***OTHER COMMENTS / OBJECTIONS**

- Debtor must submit copy of the Homestead Deed. It was shown at the meeting.

/s/ Jose R. Carrion, Esq. Meeting Date: Jan 02, 2020
Trustee

/s/ Mayra Arguelles, Esq., Presiding Officer